

## Message Text

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INFO OCT-01 EUR-12 ISO-00 AF-06 ARA-10 EA-10 NEA-09

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TAGS: PORG, AORG, PDIP, UN, AU

SUBJ: ARTICLES ADOPTED BY COMMITTEE OF THE WHOLE DURING PERIOD  
MARCH 6 - 7: UN 1975 CONFERENCE, VIENNA

TEXT OF ARTICLES ADOPTED BY COMMITTEE OF THE WHOLE  
FROM MARCH 6 - 7 AND REFERRED TO DRAFTING COMMITTEE ARE  
GIVEN BELOW:

ARTICLE 1 (USE OF TERMS)

PARA 1, SUBPARA (1)

ILC TEXT ADOPTED.

PARA 1, SUBPARA WL

QUOTE. "INTERNATIONAL ORGANIZATION OF UNIVERSAL CHARACTER"  
MEANS THE UNITED NATIONS, ITS SPECIALISED AGENCIES, THE  
INTERNATIONAL ATOMIC ENERGY AGENCY AND ANY SIMILAR ORGANI-  
ZATION WHOSE MEMBERSHIP AND RESPONSIBILITIES ARE ON A  
WORLD-WIDE SCALE; UNQUOTE.

PARA 1, SUBPARAS (3) TO (21)

ILC TEXT ADOPTED.

PARA 1, SUBPARA (22)

QUOTE. "MEMBERS OF THE DIPLOMATIC STAFF" MEANS THE  
MEMBERS OF THE STAFF OF THE MISSION OR THE DELEGATION  
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WHO ENJOY DIPLOMATIC STATUS FOR THE PURPOSE OF THE

MISSION OR THE DELEGATION; UNQUOTE.

PARA 1, SUBPARA (23)

ILC TEXT ADOPTED.

PARA 1, SUBPARA (24)

QUOTE. "MEMBERS OF THE SERVICE STAFF" MEANS THE MEMBERS OF THE STAFF EMPLOYED BY THE MISSION OR THE DELEGATION AS HOUSEHOLD WORKERS OR FOR SIMILAR TASKS; UNQUOTE.

PARA 1, SUBPARAS (25) AND (26)

ILC TEXT ADOPTED.

PARA 1, SUBPARA (27)

QQOTE. "PREMISES OF THE DELEGATION" MEANS THE BUILDINGS OR PARTS OF BUILDINGS, IRRESPECTIVE OF OWNERSHIP, USED SOLELY AS THE OFFICES OF THE DELEGATION. UNQUOTE.

PARA 1, NEW SUBPARA

QUOTE. "RULES OF THE ORGANIZATION" MEANS, IN PARTICULAR, THE CONSTITUTIVE DOCUMENTS, DECISIONS AND RELEVANT RESOLUTIONS, AND ESTABLISHED PRACTICE OF THE ORGANIZATION;" UNQUOTE.

ILC TEXT ADOPTED.

ARTICLE A (USE OF TERMS)

QUOTE. (A) "OBSERVER DELEGATION TO AN ORGAN" MEANS THE DELEGATION SENT BY A STATE TO PARTICIPATE ON ITS BEHALF AS AN OBSERVER IN THE PROCEEDINGS OF THE ORGAN;

B) "OBSERVER DELEGATION TO A CONFERENCE" MEANS THE DELEGATION SENT BY A STATE TO PARTICIPATE ON ITS BEHALF AS AN OBSERVER IN THE PROCEEDINGS OF THE CONFERENCE;

(C) "OBSERVER DELEGATION" MEANS, AS THE CASE MAY BE, THE OBSERVER DELEGATION TO AN ORGAN OR THE OBSERVER DELEGATION TO A CONFERENCE;

(D) "SENDING STATE" MEANS THE STATE WHICH SENDS;

(III) AND OBSERVER DELEGATION TO AN ORGAN OR

AN OBSERVER DELEGATION TO A CONFERENCE;

(E) "HEAD OF THE OBSERVER DELEGATION" MEANS THE  
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OBSERVER DELEGATE CHARGED BY THE SENDING STATE WITH THE DUTY OF ACTING IN THAT CAPACITY;

(F) "OBSERVER DELEGATE" MEANS ANY PERSON DESIGNATED BY A STATE TO ATTEND AS AN OBSERVER THE PROCEEDINGS OF AN ORGAN OR OF A CONFERENCE;

(G) "MEMBERS OF THE DIPLOMATIC STAFF" MEANS THE MEMBERS OF THE STAFF OF THE OBSERVER DELEGATION WHO ENJOY DIPLOMATIC STATUS FOR THE PURPOSE OF THE OBSERVER

DELEGATION;

H) "MEMBERS OF THE OBSERVER DELEGATION" MEANS THE OBSERVER DELEGATES, THE MEMBERS OF THE DIPLOMATIC STAFF OF THE OBSERVER DELEGATION AND THE MEMBERS OF THE ADMINISTRATIVE AND TECHNICAL STAFF OF THE OBSERVER DELEGATION;

(I) "MEMBERS OF THE ADMINISTRATIVE AND TECHNICAL STAFF" MEANS THE PERSONS EMPLOYED IN THE ADMINISTRATIVE AND TECHNICAL SERVICE OF THE OBSERVER DELEGATION. UNQUOTE.

ARTICLE E (COMPOSITION OF THE OBSERVER DELEGATION)

QUOTE. 1. IN ADDITION TO THE HAED OF THE OBSERVER DELEGATION, THE OBSERVER DELEGATION MAY INCLUDE OTHER OBSERVER DELEGATES, DIPLOMATIC STAFF, ADMINISTRATIVE AND TECHNICAL STAFF AND SERVICE STAFF.

2. THE SIZE OF THE OBSERVER DELEGATION SHALL NOT EXCEED WHAT IS REASONABLE AND NORMAL HAVING REGARD TO THE FUNCTIONS OF THE OBSERVER DELEGATION AND TO THE CIRCUMSTANCES AND CONDITIONS IN THE HOST STATE. UNQUOTE.

ARTICLE 81 (CONSULTATIONS)

QUOTE. IF ANY DISPUTE BETWEEN TWO OR MORE PARTIES ARISES OUT OF THE APPLICATION OR INTERPRETATION OF THE PRESENT CONVENTION, CONSULTATIONS BETWEEN THEM SHALL BE HELD UPON THE REQUEST OF ANY OF THEM. AT THE REQUEST OF ANY OF THE PARTIES TO THE DISPUTE THE ORGANIZATION OR THE CONFERENCE SHALL BE INVITED TO JOIN IN THE CONSULTATIONS. UNQUOTE.

ARTICLE 82 (CONCILIATION)

QUOTE.

"1. IF THE DISPUTE IS NOT DISPOSED OF AS A RESULT OF THE UNCLASSIFIED

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CONSULTATIONS REFERRED TO IN ARTICLE 81 WITHIN ONE MONTH FROM THE DATE OF THEIR INCEPTION, ANY PARTY TO THE DISPUTE MAY BRING IT BEFORE A CONCILIATION COMMISSION CONSTITUTED IN ACCORDANCE WITH THE PROVISIONS OF THIS ARTICLE BY GIVING WRITTEN NOTICE TO THE ORGANIZATION AND TO THE OTHER STATES PARTICIPATING IN THE CONSULTATIONS."

"2. EACH CONCILIATION COMMISSION SHALL BE COMPOSED OF THREE MEMBERS, OF WHOM ONE SHALL BE APPOINTED BY EACH OF THE PARTIES TO THE DISPUTE. EACH PARTY TO THE PRESENT CONVENTION SHALL DESIGNATE IN ADVANCE A PERSON TO SERVE AS MEMBER OF SUCH A COMMISSION. IT SHALL NOTIFY THE DESIGNATION TO THE ORGANIZATION, WHICH SHALL MAINTAIN A REGISTER OF PERSONS SO DESIGNATED. IF IT DOES NOT MAKE THE DESIGNATION IN ADVANCE, IT MAY DO SO DURING THE CONCILIATION PROCEDURE,

UP TO THE MOMENT AT WHICH THE COMMISSION BEGINS TO DRAFT  
THE REPORT WHICH IT IS TO PREPARE IN ACCORDANCE WITH PARAGRAPH  
7 HEREOF.

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3. THE THIRD MEMBER OF THE COMMISSION, WHO SHALL BE ITS CHAIRMAN,  
SHALL BE CHOSEN BY THE OTHER TWO MEMBERS. IF THE OTHER TWO MEM-  
BERS ARE UNABLE TO AGREE

WITHIN ONE MONTH FROM THE NOTIFICATION  
REFERRED TO IN PARAGRAPH 1 OF THIS ARTICLE OR IF ONE OF THE  
PARTIES HAS NOT AVAILED ITSELF OF ITS RIGHT TO DESIGNATE A MEMBER  
OF THE COMMISSION, THE CHAIRMAN SHALL BE DESIGNATED AT THE REQUEST  
OF THE MOST DILIGENT PARTY BY THE CHIEF ADMINISTRATIVE OFFICER OF  
THE ORGANIZATION. THE APPOINTMENT SHALL BE MADE WITHIN A PERIOD  
OF ONE MONTH. THE CHIEF ADMINISTRATIVE OFFICER OF THE ORGANIZATION  
SHALL APPOINT AS THE CHAIRMAN A QUALIFIED JURIST WHO IS NEITHER AN  
OFFICIAL OF THE ORGANIZATION NOR A NATIONAL OF ANY STATE PARTY  
TO THE DISPUTE.

4. ANY VACANCY SHALL BE FILLED IN THE SAME MANNER AS THE ORIGINAL  
APPOINTMENT.

5. THE COMMISSION SHALL FUNCTION AS SOON AS THE CHAIRMAN HAS BEEN  
APPOINTED.

6. THE COMMISSION SHALL ESTABLISH ITS OWN RULES OF PROCEDURE AND SHALL REACH ITS DECISIONS AND RECOMMENDATIONS BY A MAJORITY VOTE. IT MAY RECOMMEND TO THE ORGANIZATION, IF THE ORGANIZATION IS SO AUTHORIZED IN ACCORDANCE  
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WITH THE CHARTER OF THE UNITED NATIONS, TO REQUEST AN

ADVISORY  
OPINION FROM THE INTERNATIONAL COURT OF JUSTICE REGARDING THE  
INTERPRETATION OR APPLICATION OF THE PRESENT CONVENTION.

7. IF THE COMMISSION IS UNABLE TO OBTAIN AN AGREEMENT AMONG THE PARTIES ON A SETTLEMENT OF THE DISPUTE WITHIN TWO MONTHS FROM THE APPOINTMENT OF ITS CHAIRMAN, IT SHALL PREPARE AS SOON AS POSSIBLE A REPORT OF ITS PROCEEDINGS AND TRANSMIT IT TO THE PARTIES. THE REPORT SHALL INCLUDE THE COMMISSION'S CONCLUSIONS UPON THE FACTS AND QUESTIONS OF LAW AND THE RECOMMENDATIONS IT HAS SUBMITTED TO THE PARTIES IN ORDER TO FACILITATE A SETTLEMENT OF THE DISPUTE. THE TWO MONTHS TIME LIMIT MAY BE EXTENDED BY DECISION OF THE COMMISSION. THE RECOMMENDATIONS OF THE REPORT OF THE COMMISSION SHALL NOT BE BINDING ON THE PARTIES UNLESS ALL THE PARTIES TO THE DISPUTE HAVE ACCEPTED IT. NEVERTHELESS, ANY PARTY MAY DECLARE UNILATERALLY THAT IT WILL ABIDE BY THE RECOMMENDATIONS OF THE REPORT SO FAR AS IT IS CONCERNED.

8. NOTHING IN THE PRECEDING PARAGRAPHS SHALL PRECLUDE THE ESTABLISHMENT OF ANOTHER APPROPRIATE PROCEDURE FOR THE SETTLEMENT OF DISPUTES ARISING OUT OF THE APPLICATION OR INTERPRETATION OF THE PRESENT CONVENTION. THIS ARTICLE IS WITHOUT PREJUDICE TO ANY AGREEMENT WHICH MAY BE CONCLUDED BETWEEN THE PARTIES TO THE DISPUTE TO SUBMIT

THE DISPUTE TO A PROCEDURE INSTITUTED IN THE ORGANIZATION OR TO ANY

OTHER PROCEDURE ON WHICH THEY MAY AGREE.

9. THIS ARTICLE IS WITHOUT PREJUDICE TO PROVISIONS CONCERNING THE SETTLEMENT OF DISPUTES CONTAINED IN INTERNATIONAL AGREEMENTS IN FORCE

BETWEEN STATES OR BETWEEN STATES AND INTERNATIONAL ORGANIZATIONS.

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## Message Attributes

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